

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 19, 1942

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, November 19, 1942, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; absent, Councilman Wolf.

There were present also: W. E. Seaholm, Acting City Manager; Gibson R. Randle, Acting City Attorney; and J. E. Motheral, City Engineer.

The Minutes of the regular meeting of November 12, 1942, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The appeal of Iva Otis Abbett, 700 Wayside Drive, on his application for a taxicab driver's permit, which the Acting City Manager, et al., had recommended for denial, was heard. After a consideration of the facts in the case, it was moved by Mayor Miller that the permit be granted for thirty days probation, with the stipulations that applicant report to the Chief of Police at the end of that period, and that permit be revocable in the meantime upon the first infraction of the rules. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following resolution was introduced by Councilman Bartholomew:

## (RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a private gasoline plant, consisting of one 550-gallon tank and one gasoline pump, for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, the property situated on the west side of Chicon Street, which property is owned by C. J. Martin and Sons, and is designated as a part of Outlot 8, Division "A", of the City of Austin, Travis County, Texas, and hereby authorizes the said C. J. Martin and Sons, acting by and through Paul C. Whitley, to operate a private gasoline plant, consisting of one 550-gallon tank and one gasoline pump, for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same's being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted, subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic, and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said C. J. Martin and Sons have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

Upon motion of Councilman Bartholomew, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Martha Belle Boyce, Chalmers Court #3, Apartment #6, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Gertrude Lee Franzetti, 1616 East 6th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the

application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Arthur William Baker, 4201 Avenue A, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Benjamin Leslie Armstrong, 1709 East 12th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Randolph Hawkins, 1010 Juniper Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Luie Brady Ross, 1725 West 10th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Miles Raymond Townsley, 2300 West 8th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of James Haywood Medlock, Colored, 1119 East 11th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Charley Davidson, Colored, 2112 East 16th Street, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Kermit Terrell, Colored, 1812 Ulit Avenue, for a taxicab driver's permit, duly approved by the Acting City Manager, et al., was submitted. Councilman Alford moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Benjamin Leslie Armstrong, 1709 East 12th Street, for a license to operate as a taxicab a 1939 Tudor Ford, Motor No. 4886375, State License No. V37-410, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of L. R. Owens, 1709 East 12th Street, for a license to operate as a taxicab a 1937 Dodge, Motor No. D5-85900, State License No. N16-288, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Zeno Clark, Colored, 1709 East 12th Street, for a license to operate as a taxicab a 4-door Dodge Sedan, 1935 Model, Engine No. D-2254832, State License No. N15-487, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the application be granted.

The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Charlie Davidson, Colored, 2112 East 16th Street, for a license to operate as a taxicab a 4-door, Chevrolet Sedan, 1940 Model, Motor No. 2969681, State License No. N19-204, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Joel Manning, Colored, 1709 East 12th Street, for a license to operate as a taxicab a 4-door Plymouth Sedan, Motor No. PG-40269, State License No. N16-539, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The application of Kermit Terrell, Colored, 1709 East 12th Street, for a license to operate as a taxicab a Tudor Chevrolet, 1939 Model, Motor No. 898101, State License No. N15-218, duly approved by the Acting City Manager, et al., was submitted. Councilman Bartholomew moved that the application be granted. The motion prevailed by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

A public hearing on the appeals of taxpayers from the valuations placed by the Board of Equalization for the year 1942 was called for Monday, November 23, at 8:00 P. M., and the Acting City Manager was instructed to give notice of said meeting to appellants.

A committee from the Junior Chamber of Commerce, with E. L. Bauknight as spokesman, presented a proposal that the City adopt the plan recommended by the United States Public Health Service for rat eradication, by enacting an ordinance requiring that all buildings be rat-proofed, and establishing a revolving fund to take care of the expense.

After some discussion of the matter, Councilman Gillis offered the following resolution:

**(RESOLUTION)**

WHEREAS, The Junior Chamber of Commerce, in carrying out its annual program for the eradication of rats, has submitted to the City Council a proposal that the City adopt the plan recommended by the United States Public Health Service and the City's Public Health Department as being the most efficient method of exterminating the pests, namely, that all buildings be made rat-proof; and

WHEREAS, The City Council has considered such proposal and deems the plan economically feasible; now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

THAT the sum of \$3000 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, as an initial fund to purchase the material needed to put the plan above mentioned into operation, the material and labor on each job to be repaid to the City by the owner of the building to be rat-proofed, and the proceeds received therefrom to be placed in a revolving fund for furtherance of the work; and

**BE IT RESOLVED FURTHER:**

THAT the Acting City Attorney and the Public Health Officer be, and they are hereby, instructed to prepare an ordinance requiring the owners of all buildings, commercial and residential, to make such buildings rat-proof.

Upon motion of Councilman Gillis, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

The following resolution was introduced:

(RESOLUTION)

WHEREAS, City of Austin taxes were assessed in the name of James Miller for the years 1938, 1939, 1940, and 1941, on Lot 65, Tarrytown Place, City of Austin, Texas, and also personal property, said taxes being for the sum of \$255.95, and for non-payment of same at maturity, penalty in the sum of \$12.80 has been assessed, and interest in the sum of \$26.33, making the total amount of taxes, penalty, and interest, \$295.08; and

WHEREAS, The City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$12.80 and one-half of the interest in the sum of \$13.16; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$12.80 and one-half of the interest in the sum of \$13.16 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$12.80 and one-half of the interest in the sum of \$13.16, off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

The resolution was adopted by the following vote: "ayes," Councilmen Alford, Bartholomew, Gillis, and Mayor Miller; "nays," none; Councilman Wolf absent.

Upon motion, seconded and carried, the meeting was recessed at 11:25 A. M., subject to call of the Mayor.

APPROVED Tom Miller  
MAYOR

ATTEST:

Ballie M. Kellan  
CITY CLERK

## RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, November 23, 1942

The City Council convened in recessed session, at the regular meeting place in the Council Chamber at the Municipal Building, on Monday, November 23, 1942, at eight o'clock P. M., with Mayor Miller presiding. Roll call showed the following members present: Councilman Gillis and Mayor Miller; absent, Councilmen Alford, Bartholomew, and Wolf.

There were present also: Walter E. Seaholm, Acting City Manager; Gibson R. Randle, Acting City Attorney; T. B. Marshall, Assessor and Collector; and the Members of the Board of Equalization.

The Mayor stated that the meeting was called for a hearing on the written appeals of taxpayers from the action of the Board of Equalization for the year 1942, which had been duly filed.

The following appellants then appeared and were heard as follows:

Adolph Kohn, represented by Chas. O. Betts, Attorney, protested the assessed valuation of \$10,280 placed on the West 1/2 of Lot 8, and the East 1/2 of Lot 9, Block 53, Original City, as being higher than the market value of said property for the last five years; and asked that said assessment be reduced to his original rendition of \$5,516.68, or, as an alternative, to a figure not to exceed the real or actual market value thereof, to wit, \$8,275.

After consideration of the appeal, no reduction was allowed, said property being equalized with adjacent property.

Roswell Miller protested

- (1) The raise in valuation, from \$200 to \$360, of 40x160 feet out of the Geo. W. Spear League, located on Northumberland Road, declaring that same was out of line with the prices for which the lots in that locality had ever sold.
- (2) The raise in valuation, from \$225 to \$255, of 50x120 feet out of Tract A, Brykerwoods.
- (3) The raise in valuation, from \$295 to \$320, of the South 17 feet of Lot 4, and the North 42 feet of Lot 5, Westwood Ridge.
- (4) The raise in valuation, from \$275 to \$300, of Lot 9, less the north 1/2 foot of same, Westwood Ridge.
- (5) The raise in valuation, from \$275 to \$390, of Lot 12, less the north .89 feet of same, Westwood Ridge.
- (6) The raise in valuation, from \$225 to \$325, of Lot 14, Westwood Ridge.
- (7) The raise in valuation, from \$200 to \$265, on an Oldsmobile Sedan, 1939 Model, State License N-14038.

The protest was referred to Councilman Gillis for an inspection on the ground with the Board of Equalization and appellant.

W. L. Bradfield protested the valuations placed on all lots in Section 10 of Pemberton Heights, on the ground that the front foot units of same were not equalized with front foot units on other property; and asked for a discount for non-development.

The protest was referred to Councilman Gillis for an inspection on the ground with the Board of Equalization and appellant.

The written protest of Ben H. Robertson for the Robertson Estate was considered, but no action taken thereon.

There being no other protests for consideration, the meeting was recessed at 10:30 P.M. ., subject to call of the Mayor.

ATTEST:

Hellie M. Keller  
CITY CLERK

APPROVED

Tom Miller  
MAYOR